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KEVIN BRADY
MEMBER OF CONGRESS
8TH DISTRICT OF TEXAS

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

DEPUTY WHIP

CHAIRMAN
COMMITTEE ON
WAYS AND MEANS
JOINT COMMITTEE ON TAXATION

October 4, 2017

The Honorable Ajit Pai
Chairman
Federal Communications Commission
445 12th St. SW
Washington, DC 20554

Dear Chairman Pai,

I am writing to bring to your attention my concerns regarding the denial of an FCC license renewal application and a pending request for reconsideration of the denial letter. In addition, I am concerned about a related denial of an assignment of license application for the same station. Roy Henderson, a constituent in the Eighth District of Texas, has encountered some difficulty in renewing his license for KROY, his Houston-area radio station.

Mr. Henderson has been informed that the denial of KROY's license renewal was largely based on an objection to the application which has since been withdrawn by the complainant following a meeting with staff at the FCC. Therefore, there is no pending opposition to either application. Mr. Henderson is in the process of selling KROY to another constituent businessman, Mr. Ben Amato, who also operates a radio station serving my congressional district. The sale process has been significantly delayed due to Commission action.

It is my understanding that the FCC staff raised two objections to the renewal based on the complaints made by a third party; the station had been off the air for a period of one year and that the station operated from an unauthorized location. The Henderson family maintains that KROY was never off the air for more than a few weeks at a time, and not off the air during the time alleged by the Commission's staff. During the alleged period, FCC enforcement staff visited KROY multiple times and did not indicate that the station was off the air, or operating from an unauthorized location.

As there are no longer any formal objections to this license renewal, it is my hope that the Federal Communications Commission will review this request and expeditiously grant Mr. Henderson's petition for reconsideration and assignment of license application.

Should you have any questions, please do not hesitate to contact my Chief of Staff, David Davis, David.Davis@mail.house.gov, or my Counsel, Austin Bray, Austin.Bray@mail.house.gov.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kevin Brady", with a stylized flourish at the end.

Kevin Brady
Member of Congress

CC:

Mignon Clyburn, FCC Commissioner

Michael O'Rielly, FCC Commissioner

Brendan Carr, FCC Commissioner

Jessica Rosenworcel, FCC Commissioner

Michelle M. Carey, FCC Media Bureau Chief



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

October 23, 2017

The Honorable Kevin Brady
U.S. House of Representatives
301 Cannon House Office Building
Washington, DC 20515

Dear Congressman Brady:

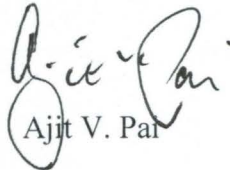
Thank you for your letter requesting that the Commission take prompt action on a petition for reconsideration filed by Roy E. Henderson concerning former station KROY(FM), Palacios, Texas, which was licensed to Mr. Henderson. Your views are very important, and I appreciate you bringing this matter to my attention.

The Media Bureau's Audio Division ruled that the KROY(FM) license expired as a matter of law on or about December 26, 2010, pursuant to Section 312(g) of the Communications Act, because the station failed to transmit broadcast signals for a 12-month period. Therefore, on January 11, 2017, the station's call sign was deleted and authority to operate was terminated. In addition, the renewal application filed on March 28, 2013 (File No. BRH-20130328ABT), the assignment application filed on November 28, 2016 (File No. BALH-20161128ADK), and all associated pleadings were dismissed as moot.

On February 15, 2017, Mr. Henderson filed a Petition for Reconsideration requesting reconsideration of the station's license cancellation and dismissal of the assignment and renewal applications. The Commission staff in the Media Bureau's Audio Division is actively considering the petition and expects to release a decision within the next six weeks.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,


Ajit V. Pai